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**PATENT**

Att'y Docket No. IBM/173/124  
Confirmation No. 9502

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid in an envelope addressed to: Box NON-FEE AMENDMENT, Assistant Commissioner for Patents, Washington, D.C. 20231 on: August 1, 2002.

  
Scott A. Stinebruner

Reg. No. 38,323

DATE

1 AUG 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott Lee Christopherson et al.

Art Unit: 2841

Serial No.: 09/747,245

Examiner: Tuan T. Dinh

Filed: December 21, 2000

For: PROTECTION FOR RADIATED ELECTROMAGNETIC SUSCEPTIBILITY  
DURING CONCURRENT MAINTENANCE

Box NON-FEE AMENDMENT  
Assistant Commissioner for Patents  
Washington, DC 20231

**AMENDMENT TRANSMITTAL**

1. ☒ Transmitted herewith is an Amendment and Response.
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ Enclosed is a verified statement to establish Small Entity status
- ☒ Other than a Small Entity

3. The fee has been calculated as shown below:

CALCULATION OF FEES

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	10	minus	20	0	\$18	\$0.00
Independent Claims	2	minus	3	0	\$84	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$280	\$0.00
TOTAL FEE FOR CLAIMS:						\$0.00

☒ No additional fee for claims is required.

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4. ☐ Attached is a check in the sum of \$\_\_\_\_\_ for additional claims.  
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.

5. **The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.**

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 400.00	\$ 200.00
<input type="checkbox"/>	three months	\$ 920.00	\$ 460.00
<input type="checkbox"/>	four months	\$1,440.00	\$ 720.00
<input type="checkbox"/>	five months	\$1,960.00	\$ 980.00

Extension fee due with this request:

\$\_\_\_\_\_

Method of Payment:

Check enclosed in the amount of \$\_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_\_.

**OR**

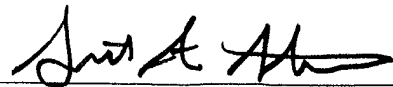
- ☒ (b) **Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.**

6. ☒ **If any additional fee for claims or extension of time is required, charge Account No. 23-3000.**

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:



Scott A. Stinebruner

Reg. No. 38,323

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441 Vine Street  
Cincinnati, Ohio 45202-2917  
(513) 241-2324

**Enclosed:**

Amendment Transmittal (in duplicate) containing Certificate of Mailing under 37 C.F.R. 1.8  
Amendment and Response  
Reply Postcard



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#8/13  
9/3/02  
JUN

**AMENDMENT AND RESPONSE**

Box NON-FEE AMENDMENT  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

In reply to the Office Action dated May 2, 2002, the following amendments and remarks are provided:

**Amendments**

**In the Claims**

Please cancel claims 4-6 without prejudice.

**REMARKS**

This paper is submitted in reply to the Office Action dated May 2, 2002, within the three-month period for response. Reconsideration and allowance of all pending claims are respectfully requested.

In the subject Office Action, claims 4-6 were rejected under 35 U.S.C. § 112 first paragraph. Moreover, claims 1-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,436,803 to Annis et al. in view of U.S. Patent No. 5,042,426 to Platt et al. Additionally, the Examiner objected to the drawings for failure to show every feature of the claimed invention specified in the claims, specifically, in claims 4-6.

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